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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/244,419	02/04/1999	TAKESHI KAMIMURA	Q053219	3733

7590 12/19/2003

SUGHRUE MION ZINN MACPEAK & SEAS  
2100 PENNSYLVANIA NW  
WASHINGTON, DC 200373202

EXAMINER
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POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 12/19/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/244,419

Applicant(s)

KAMIMURA, TAKESHI

Examiner

Joseph R. Pokrzywa

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: of the reasons discussed in the attached Office action.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
EDWARD COLES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

## DETAILED ACTION

### *Advisory Action*

1. The period for reply continues to run 3 MONTHS from the date of the final rejection. Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a) accompanied by the appropriate fee. The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. A reply within the meaning of 37 CFR 1.113 or a request for a continued examination (RCE) in compliance with 37 CFR 1.114 must be timely filed to avoid abandonment of this application.

### *Response to Arguments*

2. The request for reconsideration has been entered and considered but does not overcome the rejection because of the following reasons.

3. In response to applicant's arguments regarding the rejection of **claims 1-10 and 12-13**, which were cited as being anticipated by Baran (U.S. Patent Number 5,247,591), whereby applicant argues on pages 2 and 3 that Baran fails to disclose of a workflow control table which stores in advance the species, the destination, and the operation assigned to each operation document image. Particularly, the applicant argues that allowing the user to use abbreviations in a mailing list, as taught by Baran, is not the same as storing the destination of an operation document image in advance. The examiner notes that Baran teaches that a table is stored in advance (column 4, lines 20 through 28, lines 60 through 63, and column 5, lines 38 through 53,

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whereby the fax server 42 is used to “prepare the secondary cover sheets 44 with full names and telephone numbers” by using “the information on an earlier transmitted mailing lists...that has been stored in the memory of fax server 42”). The data stored in Baran includes the species (being a form in a particular layout, identified by pattern 14, column 4, lines 26 through 35), the destination (column 5, lines 25 through 30, and lines 49 through 53, being the destination address or destination telephone number), and the operation assigned to each operation document image (column 3, line 65 through column 4, line 10, and column 5, lines 49 through 60, being the selected various services that are desired). With this, one of ordinary skill in the art can recognize that Baran reads the information found on the cover sheet 12 and saves the data, so as to be used in subsequent communications.

4. Continuing, the applicant argues on pages 3 and 4 that Baran fails to teach after processing of an operation document image by an image identifying server, a recognized result together with the operation document image by an image identifying server. The examiner notes that Baran teaches of an operation document image or a work sheet image (being interpreted as the cover sheet 12, seen in Figs. 1-4, along with the associated document 20) which is featured by a species (a form layout, identified by the identification pattern 14, column 3, line 9 through 43, and lines 60 through 65), a destination (being the “To” field 16, seen in Figs. 1-2B), and operation to be handled to the operation document image (column 3, line 65 through column 4, line 10). Further, Baran teaches of a server for identifying the species of the operation document image to retrieve the species stored in the workflow control table in response to the identified species (column 5, line 31 through column 6, line 54, being the type of form), to automatically recognize the corresponding destination and operation (column 6, lines 21 through 54, and

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column 8, lines 30 through 46), and to transmit a recognized result together with the operation document image to the network (column 6, lines 13 through 20, and lines 34 through 54, with the result being the expanded cover sheet of the intended recipient, being transmitted with the associated document 20 to the intended recipients).

5. Therefore, the rejection of **claims 1, 12, and 13**, as well as the rejection of the corresponding dependent **claims 2-10**, as cited in the Office action dated 8/27/03 as being anticipated by Baran, is maintained. Further, for the same reasons discussed above, the rejection of **claim 14**, as cited in the Office action dated 8/27/03 as being unpatentable over Baran in view of Geshwind (WIPO Publication Number WO 96/41463), is also maintained.

6. In response to applicant's arguments regarding the rejection of **claims 1-10 and 12-13**, which was cited as being anticipated by Ogaki *et al.* (U.S. Patent Number 5,819,040), whereby applicant argues on pages 4 and 5 that Ogaki fails to disclose of a workflow control table which stores in advance the species, the destination, and the operation assigned to each operation document image. Particularly, the applicant states that Ogaki fails to store in advance a destination assigned to the operation document image. The examiner notes that Ogaki teaches of a workflow control table (being the circulation management table 80, column 7, lines 1 through 10, and seen in Fig. 10, wherein the image from the circulation sheet is scanned and the information is stored in the circulation management table 80, as read in column 8, lines 9 through 58) which stores in advance the species (circulation ID 81, seen in Fig. 10, column 8, lines 1 through 21), the destination (seen as destination 87 in Fig. 10), and the operation assigned to

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each operation document image (being the option 88, seen in Fig. 10, column 7, lines 1 through 10).

7. Continuing, the applicant argues on page 5 that Ogaki fails to teach of an image identifying server for identifying the species of the operation document image to retrieve the species stored in the workflow control table in response to the identified species, to automatically recognize the corresponding destination and operation, and to transmit a recognized result together with the operation document image to the network. Ogaki teaches of an image identifying server for identifying the species of the operation document image to retrieve the species stored in the workflow control table in response to the identified species (column 4, lines 47 through 59, and column 7, line 4 through column 8, line 33, seen as step S5 in Fig. 13), to automatically recognize the corresponding destination and operation (column 9, lines 24 through 30, whereby “[a]ccording to the contents of the circulation management table 80, the image data ...are circulated and transmitted as a single mail”, thereby inherently recognizing the destination 87 and the option 88), and to transmit a recognized result together with the operation document image to the network (seen in step S27, column 8, lines 45 through 54, and column 9, lines 11 through 30).

8. Therefore, the rejection of **claims 1, 12, and 13**, as well as the rejection of the corresponding dependent **claims 2-10**, as cited in the Office action dated 8/27/03 as being anticipated by Ogaki *et al.*, is maintained.

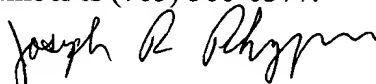
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***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Joseph R. Pokrzywa  
Examiner  
Art Unit 2622

jrp



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